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October 25, 2000

Exemption No. 4371F
Regulatory Docket No. 24237

FAA-00-8093-3

Lt. Colonel Christopher L. Swider
Chief, Flight Standards Division
Department of the Air Force
1535 Command Drive
Andrews Air Force Base, MD 20762-7002

Dear Lt. Colonel Swider:

This is in response to the July 26, 2000, Department of the Army (Army) letter, and your September 26, 2000, supplemental information, petitioning the Federal Aviation Administration (FAA) for an amendment to Exemption No. 4371, as amended, which is held by the Department of the Air Force (Air Force). That exemption from §§ 91.177(a)(2) and 91.179(b)(1) of Title 14, Code of Federal Regulations (14 CFR) permits the Air Force to conduct low-level operations without complying with en route minimum altitudes for flight under instrument flight rules (IFR) or direction of flight requirements for IFR en route segments in uncontrolled airspace. The amendment you request would allow the United States Army Special Operations Command (USASOC), 160th Special Operations Aviation Regiment (160th SOAR) to operate under Exemption No. 4371, as amended, when the 160th SOAR and the Air Force Special Operations Command (AFSOC) are conducting joint operations, subject to the conditions and limitations of this exemption.

In your petition, you indicate that the conditions and reasons regarding public interest and safety, presented in the original petition upon which the exemption was granted, remain unchanged.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested amendment to the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to joint operations conducted by Air Force and Army.

The FAA has determined that the justification for the issuance of Exemption No. 4371, as amended, remains valid with respect to this exemption.

ATA-00-686-E

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. § 40109, delegated to me by the Administrator, Exemption No. 4371, as amended, is hereby further amended by adding Condition No. 8:

8. The USASOC, 160th SOAR is permitted to operate under this exemption only when the 160th SOAR and AFSOC are conducting joint operations.

All other conditions and limitations of Exemption No. 4371, as amended, remain the same. This letter shall be attached to, and is a part of, Exemption No. 4371.

Sincerely,

/s/ John S. Walker
Program Director for Air Traffic Airspace Management, ATA-1

Cc: Colonel Charles H. Dove
Department of the Army

ATA-00-686-E (Docket No. 24237) Exemption No. 4371F, 10/25/00

Lt. Colonel Christopher L. Swider
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